



VOSH PROGRAM DIRECTIVE: 01-001B

ISSUED: February 15, 2009

SUBJECT: Program Directive Classification and Numbering System - VOSH

A. Purpose.

CHANGES I and II: This directive transmits to field personnel the first major revision to the classification and numbering procedures for the VOSH Program Directives System since its development in 1983. **CHANGE III:** This revision memorializes procedures for development and revision of program directives.

This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

B. Scope.

This directive applies to all VOSH personnel.

C. Reference.

Not Applicable.

D. Cancellation.

CHANGE I: VOSH Program Directive 01-001 (December 9, 1985); and
CHANGE II: VOSH Program Directive 01-001A (April 1, 2003)

E. Action.

Directors and Managers shall ensure that field personnel are made aware of the revised classification and numbering system for VOSH Program Directives.

F. Effective Dates.

CHANGE I: December 9, 1985.
CHANGE II: April 1, 2003.
CHANGE III: January 15, 2009.

G. Expiration Date.

Not Applicable.

H. Background.

CHANGE I: On July 1, 1983, the VOSH Program Directives System became a part of the State Plan requirements for the continuing development of occupational safety and health programs in Virginia. Since that date the Program Directives System has served as the vehicle for transmitting instructions, notices and directives as to the implementation of changes in VOSH Program requirements.

At that time, a classification system of fourteen subjects was established. In addition, a numbering system was established to aid the reader in using the Program Directives Manual. VOSH program developments have necessitated periodic changes in the subject matter of Program Directives.

CHANGE II: This update amended the numbering system to reflect current major program subjects and priorities.

CHANGE III: This revision will help unify all safety and health policies, procedures, orders, and information dissemination.

I. Description.

The VOSH Program Directives System retains the fourteen subject classifications. Each classification is assigned a two-digit section number prefix beginning with "01" and running through "14". A document assigned to a classification shall have a five-digit number (XX-XXX). The first two digits shall be the appropriate classification number. The Program Directives Manual Table of Contents is organized by subject classification numbers (see Pages A-1 through A-3 of this directive) and a subject index lists the directives in alphabetical order.

The three-digit control suffix for each section number indicates the general area of interest for the subject:

- Numbers 001-199 are assigned to directives which are of interest to all divisions of VOSH;
- Numbers 200-399 are reserved for instructions primarily concerned with safety enforcement;
- Numbers 400-599 are reserved for instructions primarily concerned with health enforcement;
- Numbers 600-699 are reserved for instructions with voluntary consultation services and training issues but cannot be classified as a Section "03" directive;
- Numbers 700-799 are reserved;
- Numbers 800-899 are assigned to any directives concerning shipyard employment, Parts 1915; Marine Terminals, Part 1917; Longshoring, Part 1918 and Gear Certification, Part 1919; and
- Numbers 900-999 may be assigned to any directives which are not elsewhere classified (NEC).

J. Issue and Control

CHANGES I and II: All Directives for the VOSH Program shall be classified, numbered and issued only through the Office of VOSH Planning and Evaluation. This procedure shall assure that:

1. The appropriate number is assigned and not in conflict with other planned or existing projects;
2. Each document conforms to the established format;
3. Appropriate superseded or canceled documents are discarded;
4. The “official” manual of the VOSH Program Directives is always up-to-date;
5. Uniform enforcement and operational procedures are enacted state-wide; and
6. All manual holders receive all documents on a uniform and timely basis.

CHANGE III: This change provides additional clarity in the development of VOSH Program Directives. The initiation and development of VOSH Program Directives and the revision of existing program directives to clarify a standard interpretation or to implement a policy or procedure is not limited to the Office of Planning and Evaluation, but all VOSH Program Directives are to be finalized, approved by the Commissioner, and distributed through the Office of Planning and Evaluation (OPE).

1. The proposed or revised program directive draft shall be in the established format and be submitted to the Manager of the Office of Planning and Evaluation for distribution. The format layout prior to the statement of the specific issues of the directive is as follows:
 - a. **Program Directive Number** – prefix and suffix assigned by OPE.
 - b. **Date Issued/revised** – leave date blank on proposed program directive for entry at time of issue.
 - c. **Subject** – the information in the program directive must be clear and concise to effectively convey the message. Usually the subject can be expressed in a simple phrase or sentence.
 - d. **Purpose** – the purpose for the program directive must be explicit; to clarify policy regarding..., to interpret an ambiguous rule, etc.
 - e. **Scope** – affected programs, rules, alerts, directive, letters or memo must be listed under this heading.
 - f. **Reference** – this section should include reference to any publication (federal, other state agency, etc.) prompting the program directive, e.g., OSHA Instruction, memorandum, or Federal Register notifications.
 - g. **Cancellation** - includes information being canceled and corresponding cancellation dates.
 - h. **Action** – statement of who is responsible for what activity defined in the directive. Any recommendations, or “shoulds”, must be contained in this section. It should be emphasized that any recommendation must be clearly understood with no ambiguity. Procedural problems will be further compounded if the directive is unclear.
 - i. **Effective Date** – the date when the program directive shall be put into practice or, if no date other than issue date, the following statement should be added: “This directive is effective immediately and shall remain in effect until canceled or superseded.”

- j. **Expiration Date** – the date when the program directive shall be discontinued.
- k. **Background** – should explain briefly the existing problem that will be solved by the program directive.
- l. **Summary** – brief overview of actions to be implemented; generally includes major policy and/or procedural changes.

All draft proposals shall be initiated and/or coordinated through the Office of Planning and Evaluation which will obtain input from other affected groups in VOSH, as needed. If the program directive is approved for development, it will be assigned a series and number and reviewed for proper format. Draft program directives shall be distributed for review and approval by the affected Program Managers and the Assistant Commissioner – Programs prior to the Commissioner for signature and issuance.

2. **Program Directive File**

A development file shall be maintained in the Office of Planning and Evaluation on each program directive that is issued. This file shall include the complete background/history on each directive.

The program directives for each prefix shall be numbered sequentially within the appropriate suffix group, with the caveat that once cancelled a suffix number shall not be used for ten years to lessen any possible confusion.

3. **Distribution**

The complete set of current program directives shall be available to VOSH internally on the agency's IT shared server drive for Publications and externally on the Regulatory Town Hall website by number and subject. One hard copy of each new directive initially will be sent to each regional and field office. Each program directive shall be placed on the IT shared server drive for access by VOSH personnel and on the website within a week of issue date.

4. **Program Directive Input Document:**

The following information shall be included by the originator with all program directive drafts submitted to OPE for approval:

- a. Who – originator.
- b. What – all information listed in Section J, Items 1. through 6. of this Program Directive.
- c. When – date submitted.
- d. Where – applicability, VOSH-wide; or specifically to health or to safety compliance.

- e. Why – a complete history/background on any studies, facts, data, inspections, or other pertinent information that prompted the initiation of this directive.

C. Ray Davenport
Commissioner

Attachment: Appendix A, Table of Contents for and Description of VOSH Classification System

Distribution: Commissioner of Labor and Industry
Assistant Commissioner – Programs
VOSH Directors and Managers
Cooperative Programs Director and Manager
VOSH Compliance and Cooperative Programs Staff
Legal Support Staff and IMIS Staffs
OSHA Region III and Norfolk Area Offices

APPENDIX A

TABLE OF CONTENTS

VOSH CLASSIFICATION SYSTEM

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VOSH Administrative Management - 01

This category covers procedures for using the Program Directives System; steps for implementing, changing and/or canceling instructions; policies unique to VOSH management functions; directions concerning work practices within the VOSH Program; and, general administrative/management communications not covered in other categories.

Compliance Instructions - 02

This category contains directions related to enforcement programs, including inspection procedures for specific state rules and regulations. Documents altering, implementing, or rescinding enforcement procedures (including inspection scheduling) shall appear in this section.

Consultation - 03

This category contains directions specifically related to the operation of VOSH consultation and training program activities.

Discrimination/Retaliation - 04

This category provides definitions of various types of discrimination and the procedures to follow in the investigation of employee complaints for being terminated, and interpretations of section 11c of the federal OSHA Act and §40.1-51.2:1 of the *Code of Virginia*.

Training - 05

This category outlines training directions for VOSH program activities.

Interpretation of Standards - 06

This category covers interpretations of standards for uniform understanding and enforcement activities. These interpretations shall include all VOSH opinions and procedures regarding both federal identical and state unique standards. Also included in this category will be any federal OSHA interpretations which may have a unique or otherwise notable impact on VOSH operations.

Legal and Legislative - 07

This category is used for materials dealing with legal opinions and other subjects of a legal nature; it also covers legislation of interest to the VOSH Program, and determinations made pursuant to such legislation; relations with the General Assembly and other branches of state government relating to Program activities.

Personnel - 08

This category covers unique VOSH Program personnel (Employee Relations) activities that are necessary to complement the Department of Human Resources Management (DHRM) and general DOLI personnel procedures. Their functions could include compensation and classification, employment, benefits, equal employment opportunity, training issues not appropriate to section "05" and employee relations components.

Program Operations, Analysis and Evaluation - 09

This category shall be used for materials on field performance analysis systems, the review and analysis of field activities, on-site review of VOSH field offices, and IMIS reports on VOSH activities.

Public Information and Freedom of Information Act (FOIA) - 10

This category covers matters pertaining to relations with the public, the press, and promotional activities. Freedom of Information Act interpretations fall within this section.

Variances - 11

This category contains directions for and procedures concerning variances to specific standards for individual businesses.

Standards - 12

This category conveys standards adopted by the Safety and Health Codes Board for enforcement by the VOSH Program. Program information on occupational safety and health standards developed, implemented and interpreted under the Virginia Labor Laws shall fall within this category.

DOLI Memoranda of Understanding (MOU)/Memoranda of Agreement (MOA) for VOSH - 13

This category includes all program directives for VOSH which contain Memoranda of Authority (MOUs) or Memoranda of Agreement (MOAs) between DOLI and other federal, state, or local governmental agencies, which specifically relate to VOSH.

Emphasis Programs - 14

This category contains directives which specify National Emphasis Programs (NEP), Special Emphasis Programs (SEP) and Local Emphasis Programs (LEP) which are currently enforced by VOSH.